

MAIL TO:

**GANZERO, ET AL. v. BENSUSAN  
RESTAURANT CORP. d/b/a BLUE NOTE JAZZ  
CLUB, ET AL.**

**Must be Postmarked  
No Later Than  
\_\_\_\_\_, 2008**

**CLAIMS ADMINISTRATOR**  
Maimon Kirschenbaum, Esq.  
Joseph & Herzfeld LLP  
757 Third Avenue, 25<sup>th</sup> Floor  
New York, New York 10017

**INDIVIDUAL CLASS MEMBER CLAIM FORM**

**CLAIMANT INFORMATION:**

Claim Number:

Control Number:

**CORRECTIONS OR ADDITIONAL INFORMATION**

Write any name and address corrections below if any are necessary **OR** if there is no preprinted data to the left, please provide your name and address here:


Daytime Telephone Number:

Evening Telephone Number:

**CLAIM FORM**

United States District Court, Southern District of New York, Ganzero, et al. v. Bensusan Restaurant Corp. d/b/a Blue Note Jazz Club, et al.  
Index No. 07 CIV 5940 (DAB)

**TO SHARE IN THE SETTLEMENT, YOU MUST COMPLETE, SIGN AND RETURN THIS CLAIM FORM.  
THE CLAIM FORM MUST BE POSTMARKED NO LATER THAN \_\_\_\_\_, 2008**

The records of Bensusan Restaurant Corp. d/b/a Blue Note Jazz Club ("Blue Note") indicate that you were employed by Blue Note as a server, paid on an hourly basis, in New York City during the Class Period of June 22, 2001 through [Insert Date of Preliminary Approval].

Provided that you timely submit this Claim Form, your award shall be \_\_\_\_\_.

***Please Type or Print***

Name (First, Middle, Last):

Street Address:

City, State, Zip:

By signing, I certify that I was employed as a server by Blue Note during all or a portion of the Class Period June 22, 2001 through \_\_\_\_\_ in New York as an hourly employee.

By signing, I also acknowledge that I am executing a "Claim Form Released Claims," which include all claims arising prior to the date of preliminary approval of this Class Settlement Agreement, which were alleged or could have been alleged in the Action based on the facts set forth in the Amended Complaint. The Claim Form Released Claims include such claims that were asserted or may have been asserted under New York Labor Law, New York common law, the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., or other applicable law. Claim Form Released Claims include claims that arise under contract, federal, state and/or local law, statute, ordinance, regulation, common law, or other source of law, whether or not such claims are in the nature of claims for damages, unpaid wages, unpaid overtime, premium pay, tips, spread of hours, waiting-time penalties or other penalties or payments for overtime, missed meal periods, incorrect information on pay stubs, missed rest breaks, attorneys' fees or injunctive relief so long as they are based on the facts set forth in the Amended Complaint. Claim Form Released Claims will apply only to Eligible Class Members who receive payment pursuant to this Stipulated Settlement.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Sign your name here)